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PATENT
Attorney Docket No.: 022041-001420US

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



On June 6, 2005

TOWNSEND and TOWNSEND and CREW LLP

By:

Timothy S. Parker

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Mark G. Erlander, et al.

Application No.: 10/773,761

Filed: February 6, 2004

For: PREDICTING BREAST CANCER
TREATMENT OUTCOME

Examiner:

Art Unit: 1634

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER 37
CFR §1.97 and §1.98

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.


Also enclosed is a copy of an International Search Report dated March 4, 2005, which was issued in corresponding PCT application no. PCT/US2004/030789, and in which references AU and BC-BJ were cited.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

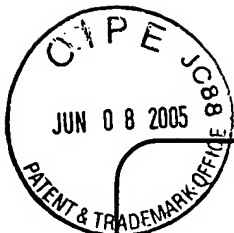
Applicant believes that no fee is required for submission of this statement, because this submission is prior to the issuance of a first Office Action on the merits.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,


Kawai Lau
Reg. No. 44,461

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60508556v1

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

152

Application Number

10/773,761

Filing Date

February 6, 2004

First Named Inventor

Erlander, Mark G.

Art Unit

1634

Examiner Name

Attorney Docket Number

022041-001420US

ENCLOSURES (Check all that apply)☐

Fee Transmittal Form

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Fee Attached

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Amendment/Reply

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After Final

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Affidavits/declaration(s)

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Extension of Time Request

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Express Abandonment Request

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Information Disclosure Statement

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Drawing(s)

☐

Licensing-related Papers

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Petition

☐Petition to Convert to a
Provisional Application☐Power of Attorney, Revocation
Change of Correspondence Address☐

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After Allowance Communication to TC

☐Appeal Communication to Board
of Appeals and Interferences☐Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

☐

Status Letter

☒Other Enclosure(s) (please identify
below):Form PTO/SB/08A,B, ISR, 10 references,
return postcard☐Certified Copy of Priority
Document(s)☐Reply to Missing Parts/ Incomplete
Application☐Reply to Missing Parts
under 37 CFR 1.52 or 1.53

Remarks

The Commissioner is authorized to charge any additional fees to Deposit
Account 20-1430.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Townsend and Townsend and Crew LLP

Signature

Printed name

Kawai Lau

Date

June 6, 2005

Reg. No.

44,461

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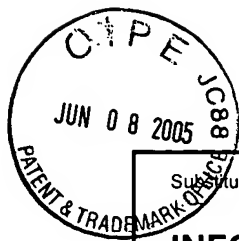
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Date

June 6, 2005



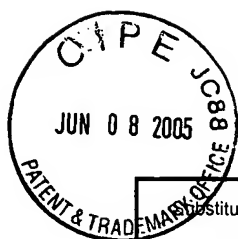
Substitute for form 1449A/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	10/773,761
		Filing Date	February 6, 2004
		First Named Inventor	Erlander, Mark G.
		Art Unit	1634
		Examiner Name	
Sheet 1	of 2	Attorney Docket Number	022041-001420US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	AA	US-			
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FOREIGN PATENT DOCUMENTS								
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		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	AU	PCT	WO02/10332 0	As	12/27/2002	Dai, et al.		<input type="checkbox"/>
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	AZ							<input type="checkbox"/>
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Examiner Signature		Date Considered	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Complete if Known		
			Application Number	10/773,761	
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			First Named Inventor	Erlander, Mark G.	
			Art Unit	1634	
Sheet	2	of	2	Examiner Name	
				Attorney Docket Number	022041-001420US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	BC	DAIDONE, M.G., et al. "Biomarkers and outcome after tamoxifen treatment in node-positive breast cancers from elderly women", <i>British Journal of Cancer</i> (2000) 82(2):270-277	
	BD	VAN DER FLIER, Silvia, et al. "Bcar 1/p130Cas Protein and Primary Breast Cancer: Prognosis and Response to Tamoxifen Treatment", <i>Journal of the National Cancer Institute</i> , (2000) Vol. 92(2):120-127	
	BE	LUO, L-Y, et al. "Higher expression of human kallikrein 10 in breast cancer tissue predicts tamoxifen resistance", <i>British Journal of Cancer</i> (2002) 86:1790-1796	
	BF	ELLIS, Matthew J., et al. "Neoadjuvant comparisons of aromatase inhibitors and tamoxifen: pretreatment determinants of response and on-treatment effect", <i>Journal of Steroid Biochemistry & Molecular Biology</i> (2003) 86:301-307	
	BG	HILSENBECK, Susan G., et al. "Statistical Analysis of Array Expression Data as Applied to the Problem of Tamoxifen Resistance", <i>Journal of the National Cancer Institute</i> (1999) 91(5):453-459	
	BH	VAN'T VEER, Laura, et al. "Gene expression profiling predicts clinical outcome of breast cancer", <i>Nature</i> (2002) 415:530-536	
	BI	MA, Xiao-Jun, et al. "A two-gene expression ratio predicts clinical outcome in breast cancer patients treated with tamoxifen", <i>Cancer Cell</i> (2004) 5:607-615	
	BJ	BECKER, Michael, et al. "Distinct gene expression patterns in a tamoxifen-sensitive human mammary carcinoma xenograft and its tamoxifen-resistant subline MaCa 3366/TAM", <i>Molecular Cancer Therapeutics</i> (2005) 4(1):151-168	
	BK	RAMASWAMY, Sridhar, et al., "A molecular signature of metastasis in primary solid tumors", <i>nature genetics</i> (2003) 33:49-54	
	BL		
	BM		

Examiner Signature		Date Considered	
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